HB 4295/4296 SENATE TESTIMONY - ANDREW JACKSON GARDNER - 10/13/11

I'D LIKE TO START OFF BY THANKING DAVE AGEMA, ONCE AGAIN FOR BRINGING THIS BILL CLOSER TO AN ACT. THIS HAS BEEN A LONG ROAD. THE REASON IT'S BEEN A LONG ROAD IS BECAUSE MIXED MARTIAL ARTS IS SUCH A NEW SPORT. IT HAS BECOME A WAY OF LIFE FOR MANY, BUT ALSO A COMPLETE MYSTERY TO OTHERS. THROUGHOUT MY TESTIMONY, I'LL BE REFERENCING PORTIONS OF THE LEGISLATIVE ANALYSIS, THE FACT THAT MMA IS THE FASTEST GROWING SPORT IS PART OF THAT ANALYLSIS. I'LL ALSO BE REFERENCING PAGES, AND LINES OF THE BILL ITSELF.

MMA HAS BECOME NOT ONLY THE FASTEST GROWING SPORT WORLDWIDE, BUT IN MICHIGAN, IT'S BECAME A WAY OF LIFE FOR THOUSANDS. 5-7 EVENTS TAKING PLACE, IF NOT MORE IN MICHIGAN EACH WEEKEND—THEY RANGE FROM THURSDAY THROUGH SATURDAY, MOSTLY COMPETING FOR SATURDAY NIGHTS. THERE IS LITERALLY 60+ "PROMOTERS" IN MICHIGAN. THIS STATE IS, BY FAR, THE MOST POPULAR NATIONWIDE FOR MMA PROMOTIONS. I PERSONALLY HAVE ATTENDED WELL OVER 60 EVENTS, AND PARTICIPATED AS A JUDGE IN THE MAJORITY OF THEM. I ADVISE HONORABLE PROMOTERS, I JUDGE (MY PROFESSIONAL MMA JUDGE LICENSE HAS BEEN MAILED IN TO LARA), AND I PROMOTE A NON-PROFIT THAT SPONSORS CONTESTANTS.

THE CURRENT STATE OF MICHIGAN MMA IS, WHAT I LIKE TO CALL, A FREE FOR ALL. PROMOTIONS ARE POPPING UP EVERY WEEKEND IN DIFFERENT AREAS — THE SPORT IS SO POPULAR THAT ANYONE WITH A FIGHTING AREA, AND THE ABILITY TO PERSUADE 20-40 PEOPLE TO FIGHT EACHOTHER CAN SELL TICKETS AND MAKE A PROFIT. THERE ARE FEW 'REAL' PROMOTERS THAT ARE HONORABLE. ALL OF THESE ISSUES WILL BE HANDLED BY THE OTHERS THAT WILL TESTIFY TODAY. I DON'T NEED TO TELL YOU THAT MICHIGAN MMA IS IN A DANGEROUS STATE. THOUSANDS WITNESS UP TO 50 PEOPLE, AT EACH EVENT, IN MULTIPLE LOCATIONS STATEWIDE, TRADING SWEAT AND BLOOD WITH NO GUARANTEED PROTECTION FROM DISEASE, OR STANDARDIZED REGULATIONS.

HB 4295/96 FACES TWO ADVISARIES – POLITICAL OPPOSITION FROM THOSE THAT WISH TO REGULATE THE SPORT PRIVATELY, IN A FOR-PROFIT ATMOSPHERE (***), AND THOSE THAT WANT NO REGULATIONS SO THAT THEY CAN DO ANYTHING THEY WISH (***), PUTTING CONTESTANTS, STAFF, AND THE ENTIRE SPORT IN JEOPARDY HERE IN MICHIGAN. I PERSONALLY, ALONG WITH THE MAJORITY OF THE MMA COMMUNITY, DON'T BELIEVE EITHER OF THESE SITUATIONS ARE THE WAY TO PROTECT EVERYONE INVOLVED. WE ALSO DON'T WANT OVER-REGULATION, WHICH CAN BE AVOIDED BY PASSING THIS BILL, KEEPING IT SIMPLE, AND MAKING SURE IT IS OPERATED EFFICIENTLY.

I'D NOW LIKE TO ADDRESS THE SECTION OF THE LEGISLATIVE ANALYSIS THAT INCLUDES "THE ISSUES"... PAGE 5, 3RD PARAGRAPH.

PAGE 12, LINE 9 OF THE BILL - THE WEIGHT CLASSES ISSUE NOTED IN THE LEGISLATIVE ANALYSIS IS AN EASY SITUATION — I'M ASSUMING THE ANALYSIS IS COMPARING THE ALLOTTED 1 POUND FOR PROFESSIONALS ABOVE THE MAX WEIGHT — THIS COMMISSION CAN PROMULGATE A 1-3 POUND CATCHWEIGHT FOR THE WEIGHT CLASS AT THE PROMOTION'S DISCRECTION — WEIGHTS OF FIGHTERS NEED TO BE REGULATED NOT ONLY FOR THE SAKE OF THEIR OPPONENT, BUT ALSO FOR THE FUTURE OF THE CONTESTANTS THAT NEED TO HAVE THE DISIPLINE IT TAKES TO BECOME A PROFESSIONAL. BUT...

ALMOST ALL AMATUER MMA PROMOTIONS ALLOW A 1-3 POUND CATCHWEIGHT BECAUSE THEY ARE AMATEURS, AND EXTREME WEIGHT CUTS ARE NOT HEALTHY — THAT SITUATION CAN EASILY BE PROMULGATED BY THE COMMISSION THIS BILL CREATES.

AGE SITUATION IN THE ANALYSIS - THAT RULE CAN ALSO BE PROMULGATED BY THE COMMISSION - FURTHER AMENDMENTS WILL DELAY THE PROCESS OF PROTECTING EVERYONE:

PAGE 13, LINE 24 THE BILL SAYS... TRAINED AND COMPETENT REFEREE – THAT'S NOT AN EXACT DEFINITION, BUT UNDER ADVICE OF THE SENATE, AND DEPARTMENT – A SPECIFIED LEVEL OF EXPERIENCE CAN BE PROMULGATED BY THE COMMISSION – THERE ISN'T MANY REFEREES CURRENTLY SERVING IN AMATUER MMA, DESPITE THE SITUATION, THAT HAVEN'T ALREADY BEEN EXPERIENCED FIGHTERS, OR TRAINED VERY WELL. THE REFEREE IS A MAIN PROPONENT OF A PROMOTION – PROMOTIONS SUFFER SEVERE NEGATIVE ATTENTION WHEN THEIR REFEREE MAKES ANY DECISION THAT WASN'T UP TO PAR WITH SOME OF THE BEST PROFESSIONALS IN THE COUNTRY. PAGE 8, SECTION 13 (B), LINE 25 REFERENCES THE PROMOTER ACCEPTING THE RISK OF ADVERSE PUBLIC NOTICE, EMBARRASSMENT, CRITICISM, FINANCIAL LOSS, AND OTHER ACTION. THE PROMOTER'S REFEREE IS A LARGE PART OF MANY OF THOSE RISKS. THAT SITUATION ALSO, AS I SAID, CAN BE TAKEN CARE OF BY THE COMMISSION THIS BILL CREATES.

INSURANCE ISSUE – THE ANALYSIS STATES AN ISSUE REGARDING WETHER THE FIGHTER OR PROMOTER IS TO PROVIDE INJURY INSURANCE FOR CONTESTANTS. PAGE 16, LINE 18 - MUST BE INSURED TO 10,000 – IT DOESN'T MATTER WHETHER THE PROMOTER OR THE CONTESTANT PROVIDES THE INSURANCE – THAT SHOULDN'T BE SPECIFIED – IF THE CONTESTANT IS INSURED, THEN HE/SHE IS INSURED ACCORDING TO THE REGULATION. IF HE/SHE ISN'T, THEN THE PROMOTER PROVIDES THE INSURANCE – THAT WILL BE HANDLED ON A CASE TO CASE BASIS. THIS BILL EXTENSIVELY INCREASES THE COSTS OF EVENTS FOR THE PROMOTERS, THEREFORE, IF WE WANT TO ENJOY THIS SPORT, AND CONTINUE TO HAVE PROMOTERS HOLD EVENTS, THEY MUST BE ABLE TO AFFORD THEM. EACH CONTESTANT IN THE EVENT THAT HAS THEIR OWN INSURANCE, OBVIOUSLY VERIFIED, WILL SAVE THE PROMOTER THE COST OF PROVIDING INSURANCE FOR THAT FIGHTER. THE CONTESTANTS THAT DO NOT HAVE INSURANCE COVERAGE, WILL BE COVERED BY THE PROMOTER, AND ALSO VERIFIED. IT'S EXTREMELY SIMPLE. THE WAY THE BILL IS WORDED IN THIS SITUATION IS EXACTLY THE WAY IT SHOULD BE WORDED, AND I'LL GUARANTEE EVERY PROMOTER IN THE STATE WILL AGREE.

THANK YOU VERY MUCH FOR ALLOWING ME TO EXPLAIN MY POINT OF VIEW. PLEASE TAKE THIS TESTIMONY INTO CONSIDERATION, AND MOVE THIS BILL TO OUR GOVERNOR'S DESK. I AM AVAILABLE ANY TIME FOR QUESTIONS.

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